

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO. 10-20581

v.

HON. ROBERT H. CLELAND

D-2 LARI ZEKA,

Defendants.

PRELIMINARY ORDER OF FORFEITURE

WHEREAS, an Indictment (“the Indictment”) was filed on or about October 10, 2010 which charged Defendants LARI ZEKA and John Wilson, in Counts One through Sixty, of violations of 18 U.S.C. § 1341 and 18 U.S.C. § 2 (Mail Fraud; Aiding and Abetting);

WHEREAS, the Indictment contained Forfeiture Allegations pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c) seeking forfeiture of any property, real or personal, which constitutes or is derived from gross proceeds traceable to a violation or violations of 18 U.S.C. § 1341, to include a forfeiture money judgment for a sum which, in aggregate, represents property constituting or derived from gross proceeds traceable to violations of 18 U.S.C. § 1341;

WHEREAS, Defendant LARI ZEKA, entered into a Rule 11 Plea Agreement on January 10, 2012, pursuant to which he pleaded guilty on January 13, 2012 to Count 33 of the Indictment, which charges Mail Fraud;

WHEREAS, in the Rule 11 Plea Agreement Defendant LARI ZEKA agreed to forfeit, pursuant to 18 U.S.C. § 982(a)(2)(A) and 28 U.S.C. § 2461(c), his interest in all property, real and personal, which constitutes or is derived from gross proceeds traceable to his violation of 18

U.S.C. § 1341, as alleged in Count 33 of the Indictment;

WHEREAS, in the Rule 11 Plea Agreement Defendant LARI ZEKA also agreed that he may be ordered to pay a forfeiture money judgment, representing the total amount of proceeds obtained as a result of his offense, for which he would be jointly and severally with co-defendant John Wilson;

NOW, THEREFORE, based upon the Indictment, the Rule 11 Plea Agreement, and the information in the record;

IT IS HEREBY ORDERED that a forfeiture money judgment in the amount of One Million Four Hundred Thousand Seven Hundred Fifty Seven Dollars and Seventy Three Cents (\$1,400,757.73) is granted and entered against Defendant LARI ZEKA, in favor of the United States, of which the defendant shall be held jointly and severally liable with defendant John Wilson in the amount of One Million Three Hundred Sixty One Thousand Three Hundred Seven Dollars and Seventy Three Cents (\$1,361,307.73);

IT IS FURTHER ORDERED that pursuant to Fed.R.Crim.P. 32.2(b)(4)(A) and (b)(4)(B) this Preliminary Order of Forfeiture shall become final upon entry, be made part of Defendant's sentence and included in the judgment, and shall not be the subject of ancillary proceedings given that the forfeiture consists entirely of a money judgment;

IT IS FURTHER ORDERED that any unpaid balance of the money judgment may be satisfied through the forfeiture of any property of Defendant as substitute property by operation of 21 U.S.C. § 853(p)(1) and (p)(2); and

IT IS FURTHER ORDERED that the Court shall retain jurisdiction to enforce this Order and to amend it as necessary pursuant to Fed.R.Crim.P. 32.2(e).

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: March 8, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record and/or pro se parties on this date, March 11, 2013, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522